

CITY COUNCIL

1520 AVENUE K



DATE: 3/22/2010
 CALL TO ORDER: 7:00 p.m.
 INVOCATION: Reverend Bryan Stamper
 Grace Presbyterian Church
 PLEDGE OF ALLEGIANCE: Daisy Girl Scout Troop 3037
 Shepard Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>THE MISSION OF THE CITY OF PLANO IS TO PROVIDE OUTSTANDING SERVICES AND FACILITIES, THROUGH COOPERATIVE EFFORTS WITH OUR CITIZENS THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS & SPECIAL RECOGNITION</u> Presentation: Karen Rhodes - 20 Year Anniversary</p> <p><u>OATHS OF OFFICE</u> <u>North Texas Municipal Water District Board</u> Shep Stahel</p> <p><u>COMMENTS OF PUBLIC INTEREST</u> <u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></p> <p><u>CONSENT AGENDA</u> <u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p>	<p>Presented</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Approval of Minutes</u> March 8, 2010</p>	Approved
	<p><u>Approval of Expenditures</u> Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p>	
(b)	Bid No. 2010-64-B for the purchase of Audio/Video Media Equipment for the Police Department in the amount of \$70,104 to The Whitlock Group, and authorizing the City Manager to execute all necessary documents.	Approved
(c)	Bid No. 2010-68-B for Police Building Evidence Storage Ventilation Improvements, in the amount of \$146,463 to Gulf Energy Systems, Inc., and authorizing the City Manager to execute all necessary documents.	Approved
(d)	Bid No. 2010-60-B, 2008-2009 Sidewalk Construction Project to HMC Asphalt and Concrete, Inc. in the amount of \$214,900.	Approved
(e)	Bid No. 2010-69-B, 2009-10 Pavement Maintenance Phase I – F Avenue, Park Boulevard, Spring Creek Parkway and Wyeth Drive to Hencie International, Inc. in the amount of \$426,366.	Approved
(f)	Bid No. 2010-52-B for one (1) McCloskey model 733 REW, Trommel Screen for the Sustainability Department to McCourt and Son's Equipment, Inc. in the amount of \$513,980.	Approved
	<p>Purchase from an Existing Contract</p>	
(g)	To approve an expenditure for a maintenance agreement between Motorola and the City of Plano in the amount of \$209,950 for Wireless Mesh Network Devices through an existing contract with the Houston-Galveston Area Council, and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. RA-01-08).	Pulled
(h)	To approve an expenditure for an annual mesh hardware maintenance contract between Scientel Wireless, LLC and the City of Plano in the amount of \$440,000 through an existing contract with the Houston-Galveston Area Council, and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. CW10-09).	Approved
	<p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p>	
(i)	To approve a contract for the purchase of Structural and Roof Repairs at Harrington Library in the amount of \$67,987 from Weatherproofing Technologies, Inc. through an existing contract/agreement with The Cooperative Purchasing Network (TCPN) and authorizing the City Manager to execute all necessary documents. (TCPN Contract Number R4812)	Approved
(j)	To approve of an engineering contract by and between the City of Plano and Lina T. Ramey and Associates, Inc. in the amount of \$212,000 for the engineering design of the Intersection Improvements – Plano Parkway & Los Rios Boulevard Project, and authorizing the City Manager to execute all necessary documents.	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	Approval of Change Order	
(k)	To Hencie International, Inc., increasing the contract by \$82,983 for the 2008-2009 Residential Concrete Pavement Rehabilitation Project, Zone I4, Project No. 5969, Change Order No. 1, Bid No. 2009-79-B.	Approved
(l)	To Weir Bros. Inc., increasing the contract by \$85,622 for Razor Road from Ohio Drive to SH 121, Project No. 5715, Change Order No. 3, Bid No. 2009-81-B.	Approved
(m)	To Motorola USA, Inc., increasing the contract by \$1,521,001 for CSP P25 Trunk Radio System simulcast site additions to Communications Tower and Schoolhouse, Change Order No. 2, Bid No. 2009-137-C.	Approved
	<u>Adoption of Resolutions</u>	
(n)	Resolution No. 2010-3-8(R): To endorse certain legislative changes relating to the Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas, and providing an effective date.	Adopted
(o)	Resolution No. 2010-3-9(R): To approve the terms and conditions of a grant awarded by the American Recovery and Reinvestment Act of 2009; Edward Byrne Memorial Justice Assistance (JAG) State Formula Program through the Criminal Justice Division of the Office of the Governor of Texas to the City of Plano, Texas for Audio/Visual Media equipment; authorizing the execution of any and all documents in connection therewith by the City Manager; and providing an effective date.	Adopted
(p)	Resolution No. 2010-3-10(R): To authorize the filing of application for federal funds in an amount not to exceed \$59,500 under the Edward Byrne Memorial Justice Assistance (JAG) State Formula Program through the Office of the Governor of Texas, Criminal Justice Division; designating Gregory W. Rushin as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date.	Adopted
(q)	Resolution No. 2010-3-11(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, concerning intersection improvements at Custer Road and Park Boulevard, Spring Creek Parkway and Jupiter Road, Ohio Drive and SH 121, and Independence Parkway and Parkhaven Drive; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(r)	Resolution No. 2010-3-12(R): To authorize outside employment with Southern Methodist University for the City Attorney, Diane Wetherbee; and providing an effective date.	Adopted
(s)	Resolution No. 2010-3-13(R): To authorize the City to enter into a lawsuit against the Texas Commission on Environmental Quality with regard to the Voda Petroleum Site; authorizing the City Attorney to enter into any and all agreements in connection therewith; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(t)	<p><u>Adoption of Ordinances</u></p> <p>Ordinance No. 2010-3-14: To amend section 9-22(c) of Article II, Food Care and sections 9-31 and 9-32 of Article III, Personnel, of Chapter 9, Food Code, to incorporate new health and cleanliness standards for food establishment employees as allowed by State law and to correct a reference under the food care regulation; and providing a penalty clause; a severability clause; a repealer clause, a savings clause; a publication clause and an effective date.</p>	Adopted
(u)	<p>Ordinance No. 2010-3-15: To amend Sections 14-114(a), 14-116, 14-117, and 14-120 of Article VIII, Additional Regulations for Tattoo and Certain Body Piercing Studios, to Chapter 14, Offenses-Miscellaneous, of the Code of Ordinances to clarify penalties, incorporate the name change of the Department of State Health Services; providing new language for Inspections and Permitting Regulations and providing a penalty clause, a savings clause, a severability clause, a repealer clause, a publication clause and an effective date.</p>	Adopted
(v)	<p>Ordinance No. 2010-3-16: To approve the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, Texas and the Town of Hebron, Texas; authorizing the City Manager to execute the agreement on behalf of the City of Plano; and providing an effective date.</p>	Adopted
(w)	<p>Ordinance No. 2010-3-17: To transfer the sum of \$8,616 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2009-10 for the purpose of providing additional funds for the difference in preliminary estimated costs and actual costs associated with conducting a Special Election on January 30, 2010 to fill the vacant Place 3 City Council position; amending the budget of the City and Ordinance 2009-9-13, as amended, to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date.</p>	Adopted
(x)	<p>Ordinance No. 2010-3-18: To amend Section 12-104.5 of Article V Stopping, Standing and Parking, of Chapter 12 Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano by deleting the provision regarding parking at the Municipal Center; providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>	Adopted
(y)	<p>Ordinance No. 2010-3-19: To amend Sec. 10-16 Membership of Article II Advisory Board of Chapter 10 Library, of the Code of Ordinances of the City of Plano, to increase the number of members and increase the number required for a quorum; and providing a repealer clause, a severability clause, and an effective date.</p>	Adopted
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></p>	

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	<p><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></p>	
(1)	<p>Presentation of the 2009-10 Status Report and Three-Year Financial Forecast to City Council.</p>	<p>Presented</p>
(2)	<p>Public Hearing on the need to continue the City of Plano's Juvenile Curfew Ordinance (Ordinance No. 94-11-11); to receive a city staff report on the effectiveness of the Juvenile Curfew Ordinance; and to determine whether the ordinance should be abolished, continued, or modified.</p>	<p>Conducted and ordinance continued</p>
(3)	<p>Ordinance No. 2010-3-20: To provide certain Heritage Resources located in the City of Plano, Texas, partial exemption from the current year Ad Valorem Taxation in the amount of \$31,142 providing a severability clause and an effective date and consideration of an appeal of the Heritage Commission's recommended denial of tax exemption for 1004 East 15th Street.</p>	<p>Council granted the appeal and added the value to the exemption in the Ordinance adopted.</p>
(4)	<p>Consideration of an Appeal of the Planning & Zoning Commission's Denial of the Preliminary Site Plan for Eastside 14th Street Addition, Block A, Lot 1 - Retail, restaurant, and general office on one lot on 0.3± acre located at the southeast corner of J Avenue and 14th Street. Applicant: Eastside 14th Street, LLC</p> <p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A/Building Inspections Training Room are located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	<p>Council approved the appeal with stipulations</p>